

Notice of Proposed Rulemaking: 2017 End of Year Revisions - On June 22, 2018, the Department of Health and Environmental Control's Bureau of Air Quality (Department) published a Notice of Proposed Regulation in the State Register, amending Regulation 61-62, Air Pollution Control Regulations and Standards, and the South Carolina Air Quality Implementation Plan (State Implementation Plan or SIP).

Specifically, the Department proposes to amend: Regulation 61-62.60, *South Carolina Designated Facility Plan and New Source Performance Standards*; Regulation 61-62.61, *National Emission Standards for Hazardous Air Pollutants (NESHAP)*; and Regulation 61-62.63, *National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories*, to adopt the federal amendments to these standards promulgated from January 1, 2017, through December 31, 2017.

The Department also proposes changes to Regulation 61-62.68, *Chemical Accident Prevention Provisions*, which include corrections for internal consistency, clarification, chemical nomenclature, codification, and spelling to improve the overall text as necessary. The Department proposes to amend Regulation 61-62.70, *Title V Operating Permit Program*, by striking paragraph (a)(6) of Section 70.3, Applicability, to maintain state compliance with federal regulations. Regulation 61-62.96, *Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) Budget Trading Program*, is based on the federal Clean Air Interstate Rule (CAIR). CAIR has been replaced by the federal Cross-State Air Pollution Rule (CSAPR) Trading Program, adopted by the Department as Regulation 61-62.97 on August 25, 2017. As a result, federal CAIR requirements implemented by Regulation 61-62.96 have sunsetted and are no longer in effect. The Department, therefore, proposes repealing Regulation 61-62.96 in its entirety.

The Department also proposes other changes to Regulation 61-62 that include corrections for internal consistency, clarification, reference, punctuation, codification, formatting, and spelling to improve the overall text of Regulation 61-62 as necessary. In accordance with S.C. Code Section 1-23-120(H), legislative review is not required because the Department proposes promulgating the amendments to maintain compliance with federal law.

Please contact Roger Jerry at jerryre@dhec.sc.gov if you have any questions. This notice can be found at: http://www.scstatehouse.gov/state_register.php.